

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
David J. Ross et al.

Application No.: 10/599,139

Confirmation No.: 4935

Filed: December 7, 2006

Art Unit: 3724

For: CAST-CUTTER

Examiner: Clark F. Dexter

RESPONSE TO RESTRICTION REQUIREMENT

MS Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Madam:

In response to the Office Action mailed May 15, 2009, Applicant submits the following reply.

In the Office Action mailed May 15, 2009, the Examiner set forth a two-part restriction requirement. The first part of the restriction requirement directed Applicant to elect one of the following groups of claims for further prosecution:

Group I, claims 2-4

Group II, claims 5-12 and 15-20

Group III, claims 13-14

Group IV, claims 21-28

Group V, claims 27-30

Group VI, claims 27, 28 and 31-33

Group VII, claim 34

Group VIII, claims 35-38 and 41

Group IX, claim 39

The Examiner further indicated that claims 1 and 40 will be examined along with whichever of the nine groups were selected.

In response to this portion of the Office Action, Applicant hereby elects the claims of Group I, namely claims 2-4 (and associated claims 1 and 40), for further prosecution on the merits. This election is made without traverse, and Applicant reserves the right to file one or more divisional applications directed to the nonelected subject matter.

In a second portion of the Office Action, the Examiner set forth a genus/species type restriction requirement; however, this requirement only applies if the claims of Group II or IV are elected. Applicant has elected the claims of Group I; therefore, the genus/species portion of the restriction requirement is moot.

Any questions, comments, or suggestions the Examiner may have should be directed to the undersigned attorney.

Dated:

Respectfully submitted,

By

Ronald W. Citkowski

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